

REMARKS

Claims 2-14, 40-42, 44-56, 82-88 and 171-184 are pending in the application and stand rejected.

Claims 5-14, 47-56 and 175-184 are cancelled without prejudice.

Claims 2, 44 and 172 are amended to replace the phrase “comprising” with the phrase “consisting essentially of.” No new matter is added, as it is taught throughout the specification that the copolymer can be made up of α -olefins and “amine-containing monomers.” See, for example, paragraph [0057].

Claim 85 is amended to correct a claim dependency.

Double Patenting

Applicants herein submit a terminal disclaimer to U.S.S.N. 11/141,306, and U.S.S.N. 10/469,072.

Obviousness Rejection

Claims 2-14, 40-42, 44-56, 82-88, 171-184 remain rejected under 35 U.S.C. § 103(a) as unpatentable over *Domine* in view of *Iovine* or *Kojima*. The Applicants traverse.

Claims 5-14, 47-56 and 175-184 are cancelled, and thus the Applicant requests that the rejection (in view of *Kojima*) of these claims be withdrawn.

Domine is directed to laminates including an α -olefin polymer and/or acid polymer as a tie layer. As admitted by the Examiner, *Domine* does not disclose the polymer including an “amine-containing monomer” as is currently claimed. The Examiner combines *Iovine* for this latter disclosure.

Iovine discloses copolymers that can include an amine-containing monomer, but necessarily include an acrylic component. *Iovine* states that “wherein the polymeric core particles will include acrylic polymer . . . [and] the outer layer or shell will include acrylic polymer having, for example, a copolymerized amine terminated comonomer.”¹ All of the working examples of *Iovine* bear this out. Further, the choice of acrylic comonomers for use in the core and/or shell formulations is not merely incidental, but important to the function of *Iovine*’s invention. The purpose in *Iovine* is to “provide[] an adhesive composition which is based on an acrylic copolymer”² wherein the polymerization of the components can be initiated with a free radical initiator,³ in aqueous media,⁴ at room temperature.⁵ The acrylic comonomer makes this possible.

Applicant’s claimed tie-layers, on the other hand, exclude any monomer groups other than α -olefins and the “amine-containing monomers.” The Applicants thus request that this rejection over *Domine* in view of *Iovine* be withdrawn.

¹ *Id.* at column 3, lines 36-45 (emphasis added).

² *Id.* at column 3, lines 19-33.

³ *Id.* at col. 4, lines 41-65.

⁴ *Id.*

⁵ *Id.* at col. 6, line 36.

Appl. No. 10/826,979
Atty. Docket No. 2003B050A
Amdt. dated August 6, 2008
Reply to Office Action dated June 13, 2008

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1712 (Docket No. 2003B050A.US).

Respectfully submitted,

Date: August 6, 2008

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